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Attorneys for Defendant
HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JACKIE BLENNIS and DAVID BRICKNER,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY, a
California Corporation; and DOES 1 through
250, inclusive,

Defendants.

CASE NO. C 07 00333-JF

**JOINT STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE;
SUPPORTING DECLARATIONS OF
ALFREDO TORRIJOS AND MICHAEL H.
DORE**

[N.D. Cal. Local Rule 6-1(b) & 6-2]

[PROPOSED]

CONFERENCE DATE: May 9, 2008
CONFERENCE TIME: ~~9:00 a.m.~~ 10:30 AM

JOINT STIPULATION

WHEREAS Plaintiffs Jackie Blennis and David Brickner ("Plaintiffs") commenced this action by filing a Complaint on January 17, 2007, and serving the Complaint on Defendant Hewlett-Packard Company ("Defendant") on May 1, 2007;

WHEREAS on November 2, 2007, the Court held a hearing on Defendant's Motion to Dismiss and continued the scheduled case management conference to January 18, 2008 at 10:30 a.m.;

WHEREAS on January 14, 2008, the Court granted the parties' joint request to continue the scheduled case management conference from January 18, 2008 until March 14, 2008;

WHEREAS good cause exists for approving this Joint Stipulation, because, as explained in the accompanying declarations of Alfredo Torrijos and Michael H. Dore, continuing these deadlines would further judicial economy by presumably allowing the parties to address the topics specified in the Federal Rules of Civil Procedure and Local Rules subsequent to the Court's ruling on Defendant's Motion to Dismiss, thus enabling the parties to have a better sense of the scope of the case.

ACCORDINGLY, pursuant to Local Rule 6-1(b), the parties, by and through their counsel of record, hereby stipulate to, and request the Court's approval of the following:

1. The Case Management Conference shall be moved from March 14, 2008, to **May 9, 2008**, at ~~9:00 a~~ **10:30** m. (or such other date when the Court is available).
2. All other deadlines remain as scheduled by the Court and/or pursuant to the Federal Rules of Civil Procedure and/or the Court's Local Rules

IT IS SO STIPULATED.

DATED: March 4, 2008

KABATECK BROWN KELLNER LLP
BRIAN S. KABATECK
RICHARD L. KELLNER
ALFREDO TORRIJOS

By: 

Alfredo Torrijos

Attorneys for Plaintiffs JACKIE BLENNIS and DAVID BRICKNER

1
2 DATED: March 4, 2008

GIBSON, DUNN & CRUTCHER LLP
PETER SULLIVAN
SAMUEL G. LIVERSIDGE
MICHAEL H. DORE


3
4
5 By: 

6 Michael H. Dore

7 Attorneys for Defendant HEWLETT-PACKARD
8 COMPANY

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10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11 Dated: 3/14, 2008

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14 The Hon. Jeremy Fogel
United States District Judge

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1. I am an attorney admitted to practice law before all courts of the State of California and I intend to submit an application to become a member of the bar of this Court. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys responsible for the representation of Defendant Hewlett-Packard Company ("HP") in the action entitled *Jackie Blennis and David Brickner, et al. v. Hewlett-Packard Company, et al.* (N.D. Cal. Case No. C 07-00333-RMW). Pursuant to Local Rule 6-2(a), I submit this declaration in support of the parties' Joint Stipulation and [Proposed] Order Continuing Case Management Conference (the "Joint Stipulation"). Unless otherwise stated, the following facts are within my personal knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

3. On January 14, 2008, the Court granted the parties' joint request to continue the scheduled case management conference from January 18, 2008 to March 14, 2008.

5. Prior Time Modifications in this Case (Local Rule 6-2(a)(2)). Prior to the November 2, 2007 hearing on Defendant's Motion to Dismiss, the parties had requested that the initial case management conference be continued until the date previously set for the hearing on Defendant's Motion to Dismiss (*i.e.*, August 17, 2007). The parties also requested that the scheduled January 18, 2008 date for the case management conference be continued to March 14, 2008. Those requests were granted.

6. Effect of the Requested Time Modification on the Schedule for the Case (Local Rule 6-2(a)(3)). The requested extensions in the Joint Stipulation would move the scheduled Case Management Conference from March 14, 2008 to May 9, 2008.

7. At this early stage of the proceeding, it is premature to predict whether the continuance requested by the parties would have any impact on additional pretrial deadlines.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: March 4, 2008

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MICHAEL H. DORE

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1 **DECLARATION OF ALFREDO TORRIJOS**

2 I, Alfredo Torrijos, declare as follows:

3 1. I am an attorney admitted to practice law before all courts of the State of California. I
4 am an associate in the law firm of Kabateck Brown Kellner LLP, and I am one of the attorneys
5 responsible for the representation of Plaintiffs Jackie Blennis and David Brickner ("Plaintiffs") in the
6 action entitled *Jackie Blennis and David Brickner, et al. v. Hewlett-Packard Company, et al.* (N.D.
7 Cal. Case No. C 07-00333-RMW). Pursuant to Local Rule 6-2(a), I submit this declaration in
8 support of the parties' Joint Stipulation and [Proposed] Order Continuing Case Management
9 Conference (the "Joint Stipulation"). Unless otherwise stated, the following facts are within my
10 personal knowledge and, if called and sworn as a witness, I could and would testify competently
11 thereto.

12 2. Plaintiffs served their Complaint on HP on May 1, 2007. On November 2, 2007, the
13 Court held a hearing on Defendant's Motion to Dismiss and continued the scheduled case
14 management conference to January 18, 2008 at 10:30 a.m.

15 3. On January 14, 2008, the Court granted the parties' joint request to continue the scheduled
16 case management conference from January 18, 2008 to March 14, 2008.

17 4. The Reasons for the Requested Enlargement or Shortening of Time (Local Rule 6-
18 2(a)(1)). I believe that judicial efficiency would best be served by holding the case management
19 conference subsequent to the Court's ruling on Defendant's motion to dismiss, which would allow
20 the parties to have a better sense of the scope of the case when attempting to address the various
21 topics and deadlines raised in the Federal Rules of Civil Procedure and this Court's Local Rules.

22 5. Prior Time Modifications in this Case (Local Rule 6-2(a)(2)). Prior to the November 2,
23 2007 hearing on Defendant's Motion to Dismiss, the parties had requested that the initial case
24 management conference be continued until the date previously set for the hearing on Defendant's
25 Motion to Dismiss (*i.e.*, August 17, 2007). The parties also requested that the scheduled January 18,
26 2008 date for the case management conference be continued to March 14, 2008. Those requests were
27 granted.
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1 6. Effect of the Requested Time Modification on the Schedule for the Case (Local Rule 6-
2 2(a)(3)). The requested extensions in the Joint Stipulation would move the scheduled Case
3 Management Conference from March 14, 2008 to May 9, 2008.

4 7. At this early stage of the proceeding, it is premature to predict whether the continuance
5 requested by the parties would have any impact on additional pretrial deadlines.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 DATED: March 4, 2008

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ALFREDO TORRIJOS